



City of NORFOLK

C: Dir., Department of Public Works

To the Honorable Council
City of Norfolk, Virginia

April 26, 2016

From: David Ricks, Director of Public Works

Subject: Encroach into the right-of-way of at 433 Granby Street with signage

Reviewed:

Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 2/6

Approved:

Marcus D. Jones, City Manager

Item Number:

R-1

- I. **Recommendation:** Adopt Ordinance
- II. **Applicant:** 433 Granby St LLC
427 Granby Street
Norfolk, Virginia 23510
- III. **Description:**
This agenda item is an ordinance permitting 433 Granby St, LLC ("433 Granby") to encroach into the City of Norfolk's (the "city's") right-of-way at 433 Granby Street with signage.
- IV. **Analysis:**
The encroachment in this location will allow 433 Granby to install a sign to identify their business.
- V. **Financial Impact:**
Liability insurance has been provided naming the city as additional insured in the amount of \$1,000,000; therefore, there should be no financial risk to the city. The city did not charge a fee for this encroachment.
- VI. **Environmental:**
N/A
- VII. **Community Outreach/Notification:**
Public notification for this agenda item was conducted through the city's agenda notification process.

VIII. Board/Commission Action:

The Department of Public Works, the Department of Planning & Community Development, and the City Attorney's Office has reviewed this request for encroachment and offer no objections. The encroachment was reviewed and recommended by the Norfolk Design Review Committee and the City Planning Commission.

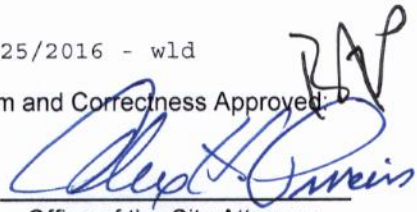
IX. Coordination/Outreach:

This letter and ordinance have been coordinated with Department of Public Works and the City Attorney's Office.

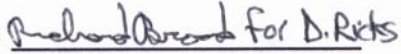
Supporting Material from the Department of Public Works:

- Ordinance
- Exhibit A

Form and Correctness Approved: 

By 
Office of the City Attorney

Contents Approved:

By  For D. Ricks
DEPT. Public Works

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE PERMITTING 433 GRANBY STREET, LLC TO ENCROACH INTO THE RIGHT-OF-WAY AT 433 GRANBY STREET WITH SIGNAGE.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That permission is hereby granted to 433 Granby Street, LLC ("433") to encroach into the right-of-way at 433 Granby Street with signage as shown on Exhibit A, attached hereto, such permission being further subject to the following conditions:

- (A) That this permission is expressly subject to the right of revocation by the Council and that in the event of such revocation, 433, or its successors and assigns, shall immediately remove the encroaching structures.
- (B) That upon the removal of the encroaching structures or any part thereof, the authority hereby granted shall cease and terminate.
- (C) That 433, or its successors and assigns, at its own cost and expense, shall take out and keep in full force and effect during the term of this encroachment commercial general liability insurance with a company authorized to do business in the Commonwealth of Virginia. The amount of insurance shall be at least \$1,000,000.00 each occurrence and \$2,000,000.00 general aggregate against liability from claims, actions and suits that may be asserted or brought against the City of Norfolk ("City") and/or 433, and its successors and assigns, for any injury to, or death of, any person or persons or for any damage to, or destruction of property resulting from the installation, maintenance, or existence of said encroaching structures. City shall be named as additional insured under such insurance, and a copy of the insurance policy, or a certificate of

insurance, evidencing the insurance coverage, including any renewals or significant changes in coverage, shall be provided to the City.

- (D) That the City shall not be responsible for any damage to the encroaching structures, including replacement and reinstallation costs, resulting from the City's operation, maintenance, repair, or replacement of any utilities located at 433 Granby Street.

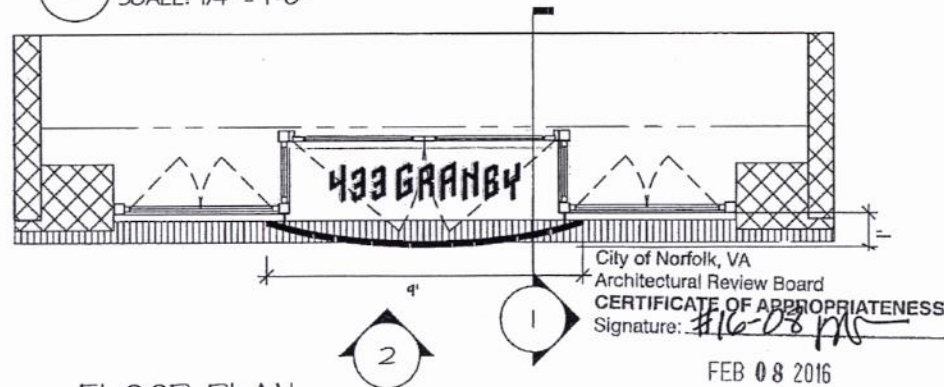
Section 2:- That the failure of 433, or its successors and assigns, to fully comply with all requirements and conditions set forth herein shall act as an automatic revocation of the permission granted hereby.

Section 3:- That the use of the said encroaching structures shall be deemed an acceptance by 433, and its successors and assigns, of all conditions to which the permissions herein are granted.

Section 4:- That this ordinance shall be in effect from and after its adoption.



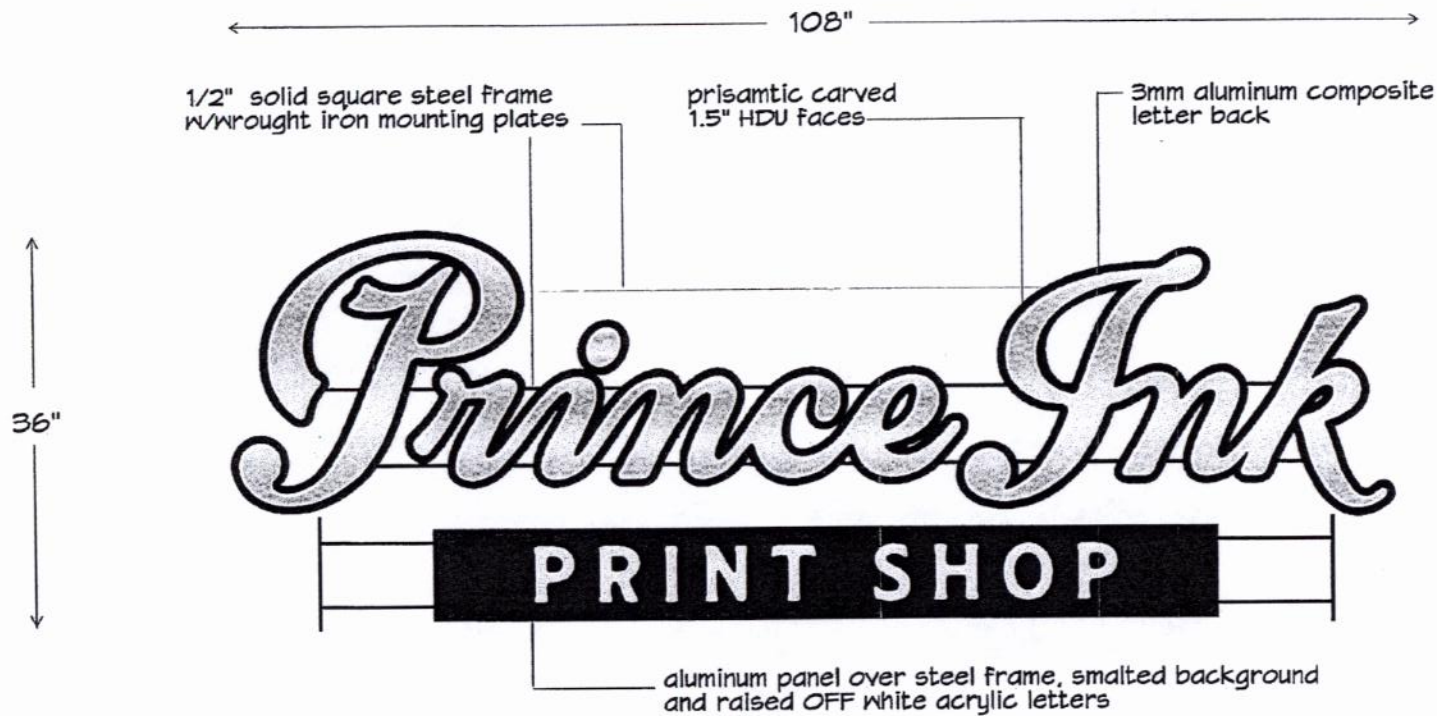
2 ELEVATION
SCALE: 1/4" = 1'-0"



FLOOR PLAN
SCALE: 1/4" = 1'-0"

City of Norfolk, VA
Architectural Review Board
CERTIFICATE OF APPROPRIATENESS
Signature: *#16-08 ms*

FEB 08 2016



City of Norfolk, VA
Architectural Review Board
CERTIFICATE OF APPROPRIATENESS
Signature: *[Signature]* #16-05

FEB 08 2016